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9 Attorneys for Plaintiffs PATRICK CONNALLY  
10 and DISABILITY RIGHTS ENFORCEMENT,  
11 EDUCATION SERVICES

12 UNITED STATES DISTRICT COURT

13 NORTHERN DISTRICT OF CALIFORNIA

14 PATRICK CONNALLY, an individual; and ) CASE NO. C04-3479 JCS  
15 DISABILITY RIGHTS ENFORCEMENT, )  
16 EDUCATION SERVICES:HELPING YOU )  
17 HELP OTHERS, a California public benefit )  
18 corporation, )  
19 Plaintiffs, )  
20 v. )  
21 MARIN EXPRESS LUBE & DIAGNOSTIC )  
22 CENTER and PETER'S BEACON; PETER )  
23 JIZRAWI & JULI JIZRAWI, as trustees of the )  
24 JIZRAWI FAMILY 1999 TRUST; and )  
25 PETER S. JIZRAWI, as an individual dba )  
26 MARIN EXPRESS LUBE & DIAGNOSTIC )  
27 CENTER and PETER'S BEACON, )  
28 Defendants. )

29 The parties, by and through their respective counsel, stipulate to dismissal of this action in its  
30 entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement  
31 Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and  
32 attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over  
33 enforcement of the Agreement. See Kokonen v. Guardian Life Ins. Co., 511U.S. 375 (1994)  
34 (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

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1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their  
2 designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant  
3 to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one  
5 original document.

6 Dated: July 18, 2005

THOMAS E. FRANKOVICH,  
*A PROFESSIONAL LAW CORPORATION*

8 By: \_\_\_\_\_/s/  
9 Jennifer L. Steneberg  
10 Attorney for Plaintiffs PATRICK CONNALLY and  
DISABILITY RIGHTS ENFORCEMENT,  
EDUCATION SERVICES: HELPING YOU  
HELP OTHERS

11 Dated: July 15, 2005

LAW OFFICES OF MARTIN J. MALKIN

13 By: \_\_\_\_\_/s/  
14 Martin J. Malkin  
15 Attorneys for Defendant PETER JIZRAWI & JULI  
JIZRAWI

**ORDER**

16 IT IS HEREBY ORDERED that matter is dismissed with prejudice pursuant to  
17 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the  
18 purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement  
19 be necessary.

21 Dated: July 19, 2005

23 \_\_\_\_\_/s/ Joseph C. Spero  
Hon. Joseph C. Spero  
24 UNITED STATES MAGISTRATE JUDGE